

# **EXHIBIT B**

**Subject:** Re: Letter re NAF v CMP  
**From:** Katie Townsend <ktownsend@rcfp.org>  
**Date:** 10/20/15, 11:31 AM  
**To:** "Napolitan, Nicholas S." <NNapolitan@mofo.com>  
**CC:** "Foran, Derek F." <DForan@mofo.com>

Mr. Napolitan: I was on a flight this morning, so I apologize for my delay in responding to your email. As counsel for a First Amendment organization that advocates for court access and maximum transparency in criminal and civil matters, I and the other attorneys at my organization do not, as a matter of either practice or principle, agree to be bound by confidentiality agreements or protective orders in litigation matters. I am not presently a party to and will not agree to be bound by the parties' stipulated protective order governing discovery in this case. I intend to seek guidance from the Court concerning the scope and nature of my obligations – if any – with respect to the email and attachment that were sent to me. I am traveling for the remainder of the week. However, I do intend to file that request for guidance within the next day or so and, certainly, by the end of this week. In the meantime, I will maintain the status quo with respect to the material I received. That means that while I will not destroy it, I will also not disseminate it or discuss or reveal its contents until I get further guidance from the Court. I am the only person with a copy of the email and the attachment at my organization, and I have already deleted the copy that was sent to my personal gmail address.

Thank you,  
Katie



On 10/20/15 12:52 PM, Napolitan, Nicholas S. wrote:

Ms. Townsend,

Once again, thank you for bringing this error to our attention. I am forwarding you a copy of the Protective Order, which protects the material included in yesterday's inadvertent disclosure. Under section 10 of that order, I must ask anyone to whom an inadvertent disclosure was made to sign the agreement to be bound by the Protective Order. Pursuant to that provision, I request that you sign that agreement, which is Exhibit A-1 to the Protective Order. For your convenience, I am attaching this exhibit as a separate PDF.

Please delete and destroy all copies of yesterday's attachment, and let me know once you have done so. I sincerely appreciate your cooperation in this.

Best,

Nick Napolitan  
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**From:** Katie Townsend [<mailto:ktownsend@rcfp.org>]  
**Sent:** Monday, October 19, 2015 6:43 PM  
**To:** Napolitan, Nicholas S.; Jean\_Davis@cand.uscourts.gov  
**Cc:** [asoutherland@aclj.org](mailto:asoutherland@aclj.org); [brianr@chavezchoalaw.com](mailto:brianr@chavezchoalaw.com); [kristie@chavezchoalaw.com](mailto:kristie@chavezchoalaw.com); [beauroysden@gmail.com](mailto:beauroysden@gmail.com); [bmcintosh@wcjuris.com](mailto:bmcintosh@wcjuris.com); [del@wcjuris.com](mailto:del@wcjuris.com); [sseto@wcjuris.com](mailto:sseto@wcjuris.com); [cgammill@aclj-dc.org](mailto:cgammill@aclj-dc.org); [lldfojai@cs.com](mailto:lldfojai@cs.com); [cjs@wcjuris.com](mailto:cjs@wcjuris.com); [ckonczal@thomasmoressociety.org](mailto:ckonczal@thomasmoressociety.org); [elwhite3@yahoo.com](mailto:elwhite3@yahoo.com); [ewhite@aclj.org](mailto:ewhite@aclj.org); [jeannewhite3@yahoo.com](mailto:jeannewhite3@yahoo.com); [ezimmerman@aclj.org](mailto:ezimmerman@aclj.org); [sekulow@aclj.org](mailto:sekulow@aclj.org); [joseph.williams.24@gmail.com](mailto:joseph.williams.24@gmail.com); [pbreen@thomasmoressociety.org](mailto:pbreen@thomasmoressociety.org); [wood@wcjuris.com](mailto:wood@wcjuris.com); Foran, Derek F.; [tbrejcha@thomasmoressociety.org](mailto:tbrejcha@thomasmoressociety.org); [Katielynn.townsend@gmail.com](mailto:Katielynn.townsend@gmail.com); Robinson, Christopher; Serrano, Javier; Laks, Alexandra; Shostak, Linda E.  
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